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4 UNITED STATES DISTRICT COURT
5 Northern District of California
6 San Francisco Division7 DAREN HEATHERLY, et al.,
8 Plaintiffs,
9 v.
10 BUFFALO EXCHANGE LTD., et al.,
11 Defendants.No. C 13-03081 LB
**ORDER DISCHARGING ORDER TO
SHOW CAUSE RE: FAILURE TO
PROSECUTE**12 On July 3, 2013, Plaintiffs filed a complaint against Defendants Buffalo Exchange Ltd. and
13 Roberta Lince for violations of the Americans with Disabilities Act. Complaint, ECF No. 1.
14 Defendants were served, and they answered the complaint on August 22, 2013. Answer, ECF No. 7.
15 Pursuant to the Scheduling Order issued on July 3, 2013, October 16, 2013 was the last day for the
16 parties to hold a joint inspection of the subject premises. ADR Scheduling Order, ECF No. 2. The
17 court did not know if this happened. 42 days after the joint inspection, the parties were to file a
18 Notice of Need for Mediation. *Id.* As of December 17, 2013, they had not done so.19 Accordingly, on December 18, 2013, the court ordered Plaintiffs to show cause why this action
20 should not be dismissed for failure to prosecute it. Order to Show Cause, ECF No. 10. Later that
21 day, Plaintiffs filed a Notice of Need for Mediation, in which they stated that the parties conducted a
22 site inspection and were discussing settlement. Notice of Need for Mediation, ECF No. 11. In light
23 of Plaintiffs' Notice, the court discharges its order to show cause. The parties are directed to comply
24 with the deadlines set forth in the ADR Scheduling Order. If they want to adjust those deadlines,
25 they must ask the court for permission to do so.

1 **IT IS SO ORDERED.**

2 Dated: December 18, 2013



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4 LAUREL BEELER
United States Magistrate Judge

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